

W



July 7, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: Art Unit 3723 – Mr. Robert C. Watson

Reference: Patent Application Number: 10/084.786
First named Inventor: Howard Francis Gokey
Confirmation Number: 6223

Dear Mr. Watson:

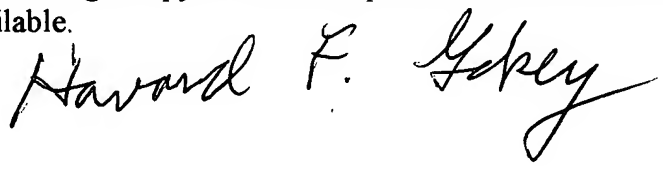
We have sent two certified letters concerning the above patent application to the address we had always used in corresponding with the Patent Office -- Assistant Commissioner for Patents, Washington DC. 20231.

The two letters were returned to sender but did not specify a reason for their being returned. One letter was sent on May 9, 2005 and the other was sent on June 1, 2005. . After getting the second letter back I did some research and found that the Patent Office had moved and the address was changed to Alexandria, VA on April 12, 2005.

I do not understand why the Post Office would not forward these documents? My son had moved several times during a 30 year career with a company and the Post Office would forward mail to him from one address to another up to one year after the move.

I am enclosing the letter that was initially sent on May 9th with copies of both certified letter receipts to provide documentation of their being sent in a timely manner and well before the deadline.

I am also enclosing a copy of the entire patent documentation so that you will have it readily available.

Sincerely, 

Howard F. Gokey

Attachments: Transmittal form dated May 9, 2005
Patent Documentation for Patent Application 10/084.786



Patent Application Number: 10/084.786
First named Inventor: Howard Francis Gokey
Confirmation Number: 6223

Post Office Certified Mail Receipts

Shown below are the two certified mail receipts indicating that the enclosed documents we already sent on the dates shown.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*Instant Comm. For Patent
Washington, DC 20231
attn: Art Unit 3723
Mr Robert E. Watson*

2. Article Number

(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

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C. Date of Delivery

- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

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☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

GOKEY
IT
12953-1611

MAY 9, 2005

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1. Article Addressed to:

*US Patent & Trade
Mark Office
Ass. Commissioner for
Patents
Washington, DC 20231*

2. Article Number

(Transfer)

7005 1160 0000 2263 4308

PS Form 3811, February 2004

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02/95 (02) 15-0

BEST AVAILABLE COPY

MAILED → JUNE 1, 2005

01 JUL 18 2005
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

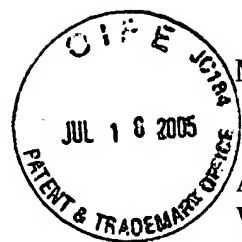
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/084.786	
	Filing Date	6/14/2002	
	First Named Inventor	HOWARD FRANKS GOKEY	
	Group Art Unit	3723	
	Examiner Name	ROBERT C. WATSON	
Total Number of Pages in This Submission	4	Attorney Docket Number	

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Letter with 2 Exhibits PROVIDING DOCUMENTATION CONCERNING INCORRECT ABANDONMENT AND REQUEST TO RESTORE TO PENDING STATUS	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Howard F. Gokey
Signature	Howard F. Gokey
Date	May 9, 2005

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: May 9 2005		
Typed or printed name	Howard F. Gokey	
Signature	Howard F. Gokey	Date May 9, 2005

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



May 9, 2005

Assistant Commissioner for Patents
Washington, D.C. 20231
Attn: Art Unit 3723 – Mr. Robert C. Watson

Reference: Patent Application Number: 10/084.786
First named Inventor: Howard Francis Gokey
Confirmation Number: 6223

Dear Mr. Watson:

I received correspondence from your office indicating that my patent application had been abandoned due to a failure to make a timely response on my part. This is not correct and listed below is documentation that proves I answered all correspondence received from your office in a timely manner.

The correspondence from your office dated April 20, 2005 indicates that I failed to respond in time to letter from your office dated April 22, 2004. I did respond to that correspondence by mailing information to your office on July 16, 2004 which was received in your office on July 19, 2004. Please see the attached Certified Mail Receipt that documents my sending information to you on time -. Exhibit I

In addition to this, I received additional correspondence from your office that was mailed on 1/10 2005. This correspondence specifically indicates that my documentation in reply to your request on April 22, 2004 was received in your office on July 19, 2004.- Exhibit II.

The correspondence that your office received on March 21, 2005 was in response to your request dated January 10, 2005. Again well within the normal 3 month response period.

Based on this documentation please restore the patent application to pending status and review the information you have just received concerning the application. Please let me know if you need replacement copies of the information that was sent in July 2004.

Thank you for your assistance in this matter.

Sincerely,

Howard F. Gokey
Attachments: Exhibit I
Exhibit II

PATENT Application No: 10/084.786

7004 1350 0000 1198 2221

NAMED INVENTOR

Howard Francis Gokey



U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail only. No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 1.29
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.34

UNIT ID: 0953
 SdN

PS Form 3800, June 2002

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:
 Asst Post Commr
 Washington D.C. 20531
 Attention: Mr. Robert C. Madans

2. A. ☐ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
 B. ☐ Print your name and address on the reverse so that we can return the card to you.
 C. ☐ Attach this card to the back of the mailpiece, or on the front if space permits.

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ X

B. Received by (Printed Name) _____

C. Date of Delivery _____

D. Is delivery address different from item 1? ☐ Yes ☐ No
 If YES, enter delivery address below: _____

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

PS Form 3811, February 2004 Domestic Return Receipt

102596-02-M-154

Advisory Action	Application No. 10/084,786	Applicant(s) GOKEY, HOWARD FRANCIS	
	Examiner Robert C. Watson	Art Unit 3723	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 19 July 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☒ they raise the issue of new matter (see Note below);
 - (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:


Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-5.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s).
10. ☐ Other: _____


ROBERT C. WATSON
PRIMARY EXAMINER